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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/302,397 04/30/99 OZAWA

K SON-0432

EXAMINER

WM02/0703

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ART UNIT

PAPER NUMBER

2641

DATE MAILED:

07/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

09/302,397

Applicant(s)

OZAWA, KAZUNORI

Examiner

Angela A. Armstrong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 April 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3,4,&5.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kleijn et al (US Patent No. 5,704,003) in view of Swaminathan et al (US Patent No. 5,751,903).

3. Regarding claims 1-11, Kleijn et al teaches,

Spectrum parameter calculation section for receiving a speech signal, obtaining a spectrum parameter, and quantizing the spectrum parameter at col. 5, lines 66-67 and col. 6, lines 1-3;

Adaptive codebook section for obtaining a delay and a gain and obtaining a residual by predicting a speech signal at col. 6, lines 52-62;

Discrimination section for discriminating a mode on the basis of a past quantized gain of an adaptive codebook at col. 7 lines 10-26;

Sound source quantization which has a codebook for representing a signal by combination of pulses and amplitudes and searches code vectors stored in the codebook and delays or shift amounts so as to output a combination of code vector and shift amount that minimizes distortion at col. 6, lines 21-61.

Kleijn does not specifically teach a multiplexer for the coder nor a decoder scheme with a demultiplexer, mode discriminating section, and sound source reconstruction. However, refer to Swaminathan et al who teaches a multi-mode CELP codec apparatus which implements a mode determining section, codebook searching and gain quantization, multiplexing spectrum parameters, codebook and quantization outputs for transmission to a decoder, a decoder which demultiplexes the transmitted spectrum parameters, codebook and quantization outputs, determines modes, and reconstructs the sound source signal via synthesis (col. 5, lines 8-39), for the purpose of providing high-quality speech coding and decoding.

Therefore, it would have been obvious to one of ordinary skill at the time of invention to implement a multiplexer and a decoding scheme with the system of Kleijn et al for the purpose of providing high quality speech coding and decoding as suggested by Swaminathan et al.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
5. Adoul et al (US Patent No. 5,701,392) teaches algebraic codebook searching for fast coding of speech.
6. Adoul et al (US Patent No. 5,444,816) teaches a method of Code Excited Linear Prediction coding based on algebraic coding.

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7. Adoul et al (US Patent No. 5,754,976) teaches a method of Code Excited Linear Prediction coding based on algebraic coding with signal selected pulse amplitude/position combinations.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela A. Armstrong whose telephone number is 703-308-6258. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William R. Korzuch can be reached on 703-305-6137. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-6306 for regular communications and 703-308-6296 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

AAA  
June 27, 2001

  
**WILLIAM KORZUCH**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**